

## REMARKS

The Official Action of June 11, 2003 has been carefully considered and reconsideration of the application as amended is respectfully requested.

An Abstract has been provided as requested by the Examiner.

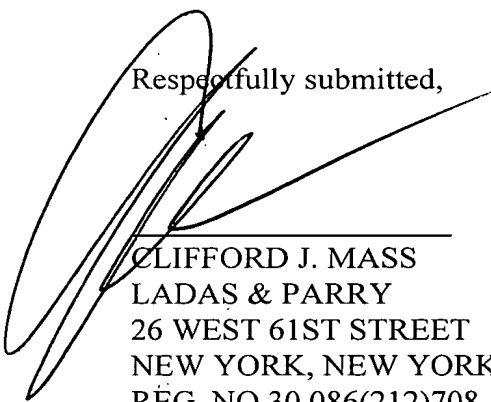
The indication of the presence of allowable subject matter has been noted with appreciation. The claims have now been rewritten to remove the bases for the rejections under 35 USC 112, second paragraph, and 35 USC 101. In particular, the recitations of former claims 1 and 3 have been combined to provide a definition of the substituted cis-stilbene moiety. The term "vascular damaging agent" has been replaced with a more definite term in accordance with the description in the specification in the paragraph bridging pages 1 and 2. In addition, the use claims have now been rewritten as method claims with the recitation of a method step.

With respect to the objections appearing in the first paragraph on page 3 of the Official Action, the relevant limitations have been recited in functional terms in accordance with the disclosure in the paragraph bridging pages 1 and 2 of the specification and with accepted practice (see MPEP Section 2173.05(g)). In particular, the functional recitation that the recited second moiety is an inhibitor of nitric oxide is sufficiently definite to satisfy the dictates of 35 USC 112, second paragraph (see **In re Barr**, 170 USPQ 33 (CCPA 1971): holding that the limitation

used to define a radical on a chemical compound as "incapable of forming a dye with said oxidizing developing agent" although functional, was perfectly acceptable because it set definite boundaries on the patent protection sought). In this connection, inhibitors of nitric oxide are well known in the art (see, e.g., US Patent 5,977,181, copy submitted herewith).

In view of the above, all rejections and objections of record are believed to have been overcome and the application is believed to be in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,



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